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Application DENIED. This case will not be stayed.

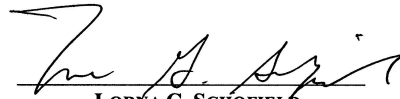
Dated: March 9, 2020
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March 4, 2020


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

VIA ECF

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Hon. Lorna G. Schofield
United States District Judge
United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Delacruz v. Nike, Inc., Civil Action No. 1:19-cv-10292-LGS

Dear Judge Schofield:

This Firm represents Defendant Nike, Inc. ("Defendant") in the above-referenced matter. We have conferred with Plaintiff's counsel and write, with Plaintiff's concurrence, to jointly request a stay of this action until August 4, 2020.

By way of background, the current deadline for Defendant to file a motion to dismiss is March 6, 2020. (ECF. No. 18.) If the Court does not stay this matter, Defendant will a motion to dismiss by March 6, 2020.

The parties respectfully request that this action be stayed to allow for the resolution of motions to dismiss in similar matters arising out of alleged violations of Title III of the Americans with Disabilities Act based on gift cards that do not include Braille, which are currently pending before the Court and other judges in this District and the Eastern District of New York. The stay would allow the parties to have the benefit of the Court's analysis of the issues in other matters, which will inform their assessment of the pending case. It will also conserve resources of both the parties and the Court. Similar stays were recently granted on the same grounds by Judge Woods in *Calcano v. Domino's Pizza, Inc.*, Case No. 1:19-cv-09823-GHW (S.D.N.Y.) (ECF No. 24) and *Delacruz v. Jamba Juice*, Case No. 1:19-cv-10321-GHW (S.D.N.Y.) (ECF No. 20), by Judge Abrams in *Delacruz v. Five Below, Inc.*, Case No. 19-cv-10294-RA (S.D.N.Y.) (ECF No. 16), and by Judge Caproni in *Calcano v. Drybar Holdings LLC*, Case No. 1:19-cv-11389-VEC (S.D.N.Y.) (ECF No. 10.) These orders are enclosed for the Court's convenience.

While the Court previously declined to stay the discovery deadlines in this action pending the resolution of Defendant's motion to dismiss (ECF Nos. 15, 17), the above-referenced courts have thereafter issued stay orders based on the pendency of other

similar matters, and the parties respectfully request that the Court consider this request for the reasons set forth in this correspondence. The parties are greatly appreciative of the Court's time and attention to this matter, and for its consideration of this request.

Respectfully submitted,

SEYFARTH SHAW LLP

/s/ John W. Egan

John W. Egan

Enclosures

cc: All counsel of record (via ECF)